

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

**UNITED STATES OF AMERICA
PLAINTIFF**

v.

**BERNETTA LASHAY WILLIS,
DEFENDANT**

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CR. NO. 2:06-CR-0071-MEF

**UNOPPOSED MOTION TO CONTINUE
SENTENCING HEARING AND SET PSI DEADLINES**

Comes now Defendant Bernetta LaShay Willis, through counsel, and moves the Court to continue the sentencing hearing presently set for October 18, 2007 and further moves the court to set deadlines for objections to the Probation Officer's Presentence Investigation Report (PSR) and in support thereof states as follows:

1. This matter was last set for a sentencing hearing to be heard on August 18, 2007.
2. On July 9, 2007, subsequent to the Court's granting Defendant's Motion for Psychological Evaluation, the Court continued Defendant's sentencing hearing "until further order from the Court" pending receipt of the psychological evaluation. In the order no mention was made whether the previously set deadlines were also continued.
3. The psychological evaluation was received on September 28, 2007 and the Court entered an Order setting sentencing for October 18, 2007.
4. Subsequent to the Court continuing the previous sentencing hearing, counsel for Defendant and counsel for the Government discussed the deadlines for responding to the PSR with the Probation Officer. It was understood by all that new deadlines would be set upon receipt

of the psychological report since it may become necessary for the Probation Officer to consider the psychological evaluation in a revised report¹.

5. Both counsel for Defendant and counsel for the Government have expressed verbally to the Probation Officer their intent on filing responses and/or objections to the PSR.

6. Due to the press of other more immediate matters, neither counsel for the Government nor counsel for Defendant have prepared their objections for a written response to the PSR.

7. The undersigned has conferred with the Probation Officer and counsel for the Government and both concur with Defendant's Motion to continue the sentencing hearing and to set new deadlines for the submission of formal objections to the PSR.

Wherefore, the above matters considered, defendant prays this Court enter an order continuing the sentencing hearing for a date not sooner than three weeks from the date of the Court's Order and further setting new deadlines within which the parties have to respond to the Probation Officer's PSR.

Respectfully submitted this day, October 9, 2007.

/s/Timothy C. Halstrom
Timothy C. Halstrom
Bar Number HAL021
Attorney for Defendant Willis

¹ In a phone conversation with the Probation Officer in preparation for this Motion, the P.O. advised that after reviewing the evaluation she has determined that it will not be necessary for her to revise the PSR.

Of Counsel:

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CERTIFICATE OF SERVICE

I hereby certify that on October 9, 2007, I electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will send notification of such filing parties and their attorneys.

/s/Timothy C. Halstrom

Timothy C. Halstrom

Bar Number HAL021